

REMARKS

Claims 1, 2, 4 – 20, and 22 – 46 are pending in this application.

In a Non-Final Office Action dated 10 June 2010, the Examiner maintains her rejection of claims 1, 2, 4 – 20, and 22 – 46 using Spencer (US Patent No. 6,356,909 B1, hereinafter “Spencer”) and Spencer in view of Vanderboom et al. (US Patent Application Publication No. 2002/0147596 A1, hereinafter “Vanderboom”).

The Applicant respectfully disagrees with the Examiner that the term “modified” is merely a label. Figures 2D – 2G disclose the modification of category information based on the selection of choices. The figures clearly show that the combination of selected choices modify the category information that is submitted to the central station.

Claims 1, 2, 4 – 20, and 22 – 46 have been rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement.

Claims 1, 2, 4 – 20, and 22 – 46 comply with the written description requirement since the specification discloses a “predetermined environmental project survey” (Specification, page 1, paragraph 4). The Applicant respectfully submits that “predefined” is a word synonymous with “predetermined.” See, e.g., www.websters-online-dictionary.org.

Claims 42 and 43 have been rejected under 35 USC 101 because there is no transformation occurring in the claims for a physical object or substance or data that represents physical objects or substances.

As amended, claims 42 and 43 expressly recite that a computer implements the method. Therefore, the amendments impose meaningful limits on the claims’ scope. Additionally, the performance of the steps of each method claim is observable and verifiable. As a result, the claims are patent-eligible. See *Interim Guidance for Determining Subject Matter Eligibility for Process Claims in View of Bilski v. Kappos* (July 27, 2010).

Claims 1, 2, 4 – 20, and 22 – 46 have been rejected under 35 USC 103(a) as being unpatentable over Spencer in view of Vanderboom.

Spencer and Vanderboom do not teach predefined criteria data categories as recited by claim 1. The system of claim 1 is different from Spencer and Vanderboom in that the system of claim 1 comprises an environmental project survey that does not vary from resource provider to resource provider (Specification, page 6, line 32, and page 7, line 3). The categories in the system of claim 1 are predefined and do not change from provider to provider. Therefore, the environmental project survey of claim 1 is distinct from a RFP (Specification, page 6, line 32, and page 7, line 4). In contrast, Spencer and Vanderboom teach a RFP that is not predefined, since Spencer and Vanderboom teach that a RFP is created by a specific provider and tailored to the needs of that provider (Spencer, column 6, line 1).

The Applicant respectfully disagrees that Spencer's "responses are edited" teach the limitations of claim 23. It is key that the Examiner articulate their reason as to why the claimed invention would have been obvious, and all claim limitations must be considered (MPEP 2143). Neither Spencer nor Vanderboom teach "database means comprises an error checking means for validating" as recited by claim 23. Spencer, as the Examiner points out, teaches "responses are edited." However, the responses in Spencer are initially reviewed by the RFP creator (Spencer, column 9, line 14). After the creator has evaluated the responses, the automated features of the Spencer system "creates an initial score" (Spencer, column 9, line 21). In contrast, claim 23 clearly discloses that it is the database means that perform the error checking. Therefore, claim 23 is patentable over Spencer and Vanderboom.

The Applicant respectfully disagrees that Spencer teaches "locking means for disabling a user's ability to update said modified environmental project survey once said user identified project is under review by said central station" as recited by claim 28. Spencer teaches "users have access only to their own data and to the data that other users within their organization have given them permission to view and use." Spencer's teachings are clearly directed at user permissions and not to the "locking means" as recited by claim 28. In fact, Spencer discloses that users have access to their data at all times, which is in contrast to claim 28.

The Applicant respectfully disagrees that Spencer teaches “code search means for enabling said central station to search for the appropriate code listings” as recited by claim 29. Spencer teaches “questions are compiled using a question database.” Spencer neither teaches “code search means” nor “code listings that are used to dynamically populate list boxes.”

Claims 2, 4 – 20, 22, 24 – 27, and 30 – 46 all depend on patentable claims and, therefore, are patentable.

In view of the above amendments and remarks, Applicants believe the pending application is in condition for allowance. A two-month Petition For Extension Of Time and the appropriate fee are attached. If any additional fee is due, please charge our Deposit Account No. 50-1848, under Order No. 970767.0201PTUS from which the undersigned is authorized to draw.

Respectfully submitted,
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